## IN THE DISTRICT COURT OF THE UNITED STATES FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

| DOROTHY MACK,  |                                  |
|--|----------------------------------|
| o/b/o her minor child, B.J.M.,                             | )                                |
| Plaintiff,   | )<br>)                           |
| V.   | ) CIVIL ACTION NO. 2:14cv869-CSC |
| CAROLYN W. COLVIN, Acting Commissioner of Social Security, | )<br>)<br>)                      |
| Defendant.   | )<br>)                           |

## **MEMORANDUM OPINION and ORDER**

Now pending before the court is the plaintiff's application for attorney's fees pursuant to the Equal Justice Act, 28 U.S.C. § 2412(d), filed on June 25, 2016. (Doc. # 17). The defendant does not object to an award of fees in the amount of \$2,312.50 representing 12.50 hours of attorney time. *See* Doc. # 19.

On May 5, 2008, the Eleventh Circuit Court of Appeals decided *Reeves v. Astrue*, 526 F.3d 732 (11th Cir. 2008) in which the Court unambiguously held that "attorney's fees are awarded to the prevailing party, not to the prevailing party's attorney." *Id.* at 738. On June 14, 2010, the United States Supreme Court decided *Astrue v. Ratliff*, 560 U.S. 130 (2010) in which the Court unambiguously held that attorney's fees are awarded to the prevailing litigant, not to prevailing litigant's attorney. *See also Reeves v. Astrue*, 526 F.3d 732, 738 (11th Cir. 2008) ("attorney's fees are awarded to the prevailing party, not to the prevailing party's attorney."). Accordingly, upon consideration of the motion, and for good cause, it is

ORDERED as follows:

1. That the motion for attorney's fees (doc. # 17) be and is hereby GRANTED

and the plaintiff be and is hereby AWARDED fees in the amount of \$2,312.50.

2. To the extent that plaintiff's counsel requests that fees should be awarded to

directly to counsel, 28 U.S.C. § 2412(d)(1)(A) authorizes the court to award fees to the

prevailing party. See 28 U.S.C. § (d)(2)(B). See also Reeves, supra. The motion that fees

be paid directly to counsel be and is hereby DENIED.

Done this 8th day of July, 2016.

/s/Charles S. Coody

CHARLES S. COODY

UNITED STATES MAGISTRATE JUDGE